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REMARKS

Claims 1 - 12 are pending.

Claims 1, 3- 5, and 7 were rejected under 35 U.S.C. § 102(b) for allegedly being anticipated by Kohara et al., U.S. Patent No. 4,654,966. Claims 1 - 5 and 7 - 12 were rejected under 35 U.S.C. § 102(b) for allegedly being anticipated by Watanabe et al., U.S. Patent No. 5,844,311. Claim 6 was rejected under 35 U.S.C. § 103(a) for allegedly being obvious in view of Watanabe et al. and Switky, U.S. Patent No. 5,270,262.

In response, claims 1 and 9 have been amended to more clearly distinguish the prior art.

The invention as recited in the pending claims relates to a sealing structure. For example, as illustrated by the example embodiment of Fig. 1, a wiring board 1 for mounting semiconductor devices 2 is provided with a frame 5 around its periphery. A cap 7 is provided over the semiconductor devices for conducting heat from the devices via a heat conductive material. The cap and frame are joined via an intervening member 15, which separates the cap from the frame. Fig. 1 also show an additional frame 10 that is also separated from the cap by an additional intervening member 6.

Claim 1 has been amended to recite an aspect of the invention in which the cap and the frame are spaced apart "wherein there is an absence of any direct physical contact between the frame and the cap." This aspect of the invention is shown in the various embodiment exemplars of Figs. 1 - 4. As can be seen, for example, in the magnified view provided in Fig. 2 the cap 7 is space apart from the frame 5 such that there is no point of contact between the cap and the frame.

Claim 9 has been similarly amended, reciting "the cap being spaced apart from the first and second frames by the intervening member, wherein there is an absence of any direct physical contact between the cap and either of the first and second frames." An example embodiment of this aspect of the invention can also be seen in Fig. 2. The

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cap 7 is spaced apart from both frames 5 and 10, and there is no point of direct contact between the cap and either of the frames.

As for Kohara et al., they show in Fig. 12, a heat sink (1) that includes a portion that is spaced apart from a flange (2). A gasket (4) is disposed in the spaced apart portion between the heat sink and the flange. However, Kohara et al. do not show that there is "an absence of any direct physical contact between the frame and the cap." Claim 1. As can be seen in Fig. 12 of Kohara et al., there are areas of the heat sink (1) that are in direct contact with areas of the flange (2). Kohara et al. therefore do not anticipate the aspect of the invention as recited in the pending claims. The Section 102 rejection of the claims based on Kohara et al. is believed to be overcome.

As for Watanabe et al., they show in Fig. 1 heat sink (17) that includes a portion that is spaced apart from a frame (15). An O-ring (19) is disposed in the spaced apart portion. However, Watanabe et al. do not show that there is "an absence of any direct physical contact between the frame and the cap." Claim 1. As can be seen in Fig. 1 of Watanabe et al., there are areas of the heat sink (17) that are in direct contact with areas of the frame (15). Watanabe et al. therefore do not anticipate the aspect of the invention as recited in the pending claims. The Section 102 rejection of the claims based on Watanabe et al. is believed to be overcome.

The reference to Switky et al. was cited for allegedly teaching the use of plastic O-ring material. Switky et al. do not show the aspects of the invention recited in the independent claims 1 and 9. Since the base claim 1 is believed to be patentable over the cited art and since Switky et al. were cited for plastic O-ring material, the Section 103 rejection of dependent claim 6 is believed to be overcome.

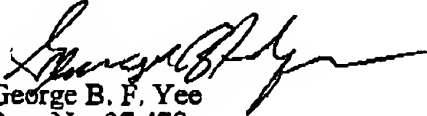
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CONCLUSION

In view of the foregoing, all claims now pending in this Application are believed to be in condition for allowance and an action to that end is urged. If the Examiner believes a telephone conference would aid in the prosecution of this case in any way, please call the undersigned at 650-326-2400.

Respectfully submitted,

  
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